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8 **UNITED STATES DISTRICT COURT**

9 **DISTRICT OF NEVADA**

10 CHRISTINA CANTU and REBEKAH
11 SVINNING, on behalf of themselves and all
others similarly situated,

12 Plaintiffs,

13 v.

14 THOMPSON MICHIE ASSOCIATES, LLC,
a foreign limited liability company; TM
15 EQUITIES INC., f/k/a THOMPSON MICHIE
ASSOCIATES, INC., a foreign corporation;
16 and DOES 1 through 50, inclusive,

17 Defendants.

Case No.: 2:24-CV-00908-APG-DJA

**JOINT STIPULATION TO STAY ALL
DISCOVERY AND CASE DEADLINES
FOR 90 DAYS**

[First Request]

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19 IT IS HEREBY STIPULATED by and among Plaintiffs CHRISTINA CANTU
20 and REBEKAH SVINNING, on behalf of themselves and all others similarly situated
21 (collectively “Plaintiffs”), and Defendant THOMPSON MICHIE ASSOCIATES,
22 LLC, a foreign limited liability company (“TMA”), and Defendant TM EQUITIES
23 INC, a foreign corporation (“TME”) (collectively Defendants”), by and through their
24 undersigned counsel of record, that all discovery and case deadlines be stayed for
25 ninety (90) days while Plaintiffs and Defendants (collectively “Parties”) explore early
26 resolution of this case through alternative dispute resolution processes. This
27 stipulation is submitted and based upon the following:

28 1. Plaintiffs filed their Complaint in state court on April 8, 2024, alleging





1 class, collective, and individual causes of action (“Complaint”).

2 2. Defendant TMA filed its Answer on May 7, 2024.

3 3. Defendant TMA, with Defendant TME’s consent, removed the matter to
4 this Court on May 14, 2024.

5 4. On June 4, 2024, Defendant TME filed its Motion to Dismiss Pursuant
6 to FRCP 12(b)(2) and 12(b)(6).

7 5. On June 17, 2024, Plaintiffs filed their Motion for Circulation of Notice
8 Pursuant to 29 U.S.C. § 216(b), along with a [Proposed] Order and proposed form of
9 Notice and Consent to Join.

10 6. On June 19, 2024, Plaintiffs filed their Opposition to Defendant TM
11 Equities Inc.’s Motion to Dismiss Pursuant to FRCP 12(b)(2) and 12(b)(6), and
12 Alternative Motion for Stay Pending Jurisdictional Discovery.

13 7. On June 20, 2024, the Parties conducted their conference on a proposed
14 discovery plan and scheduling order pursuant to FRCP 26(f).

15 8. At the Rule 26(f) conference, the Parties discussed for the first time the
16 prospect of tolling the applicable statutes of limitations on Plaintiffs’ claims while the
17 Parties pursued alternative dispute resolution. After discussing the names of potential
18 mediators and other particulars, the Parties agreed to stay all case deadlines for 90
19 days (the “Stay Period”) to explore resolution through formal mediation.

20 9. The Parties have also entered into a separate agreement to toll the statute
21 of limitations on Plaintiffs’ claims that have been asserted in the Complaint, including
22 the putative class and collective claims, during the Stay Period.

23 10. The Parties desire to avoid the time and expense of imminent discovery
24 deadlines, including filing their proposed discovery plan and scheduling order,
25 commencing discovery, and making initial disclosures, as well as Defendants’
26 deadline to file a response to Plaintiffs’ conditional certification motion and
27 Defendant TME’s deadline to file a reply in support of its motion to dismiss.

28 11. Accordingly, the Parties have agreed to stay all case deadlines and



1 discovery for ninety (90) days, through September 23, 2024, to conserve the Parties'
2 respective resources and for the sake of judicial economy. This stay includes
3 continuing the deadlines for Defendants to file a response to Plaintiffs' conditional
4 certification motion and for Defendant TME to file a reply in support of its motion to
5 dismiss.

6 12. The Parties will file a joint status report on July 25, 2024, and again on
7 August 26, 2024, informing the Court about the status of their alternative dispute
8 resolution.

9 13. On September 23, 2024, at the conclusion of the Stay Period, the Parties
10 will file a joint status report informing the Court whether a resolution was reached.

11 14. Further, if the case does not resolve during the Stay Period, by September
12 23, 2024, then: (a) the Parties' Proposed Discovery Plan and Scheduling Order
13 pursuant to FRCP 26(f) will be due by September 25, 2024; (b) Defendants'
14 response(s) to Plaintiffs' Motion for Circulation of Notice Pursuant to 29 U.S.C. §
15 216(b) will be due by October 1, 2024; and (c) Defendant TME's Reply in Support
16 of its Motion to Dismiss Pursuant to FRCP 12(b)(2) and 12(b)(6) will be due by
17 October 8, 2024.

18 15. If, at any time during the Stay Period, it becomes clear that the Parties
19 will not be able to achieve a global resolution of this dispute, the Parties will promptly
20 inform the Court and propose a new slate of deadlines.

21 16. The Parties further agree that they are not waiving, relinquishing, or
22 otherwise impairing any claim, defense, or other right they may have by virtue of
23 entering this Stipulation, or by participating in alternative dispute resolution
24 processes, other than as set forth in the Parties' separate tolling agreement.

25 17. This request is made in good faith and not for the purpose of delay.

26 18. This is the first request for a stay of discovery and all pending case
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deadlines to explore resolution through alternative dispute resolution processes.

Dated this 25th day of June, 2024.

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Attorneys for Defendant TM Equities, Inc.

ORDER

IT IS SO ORDERED.



ANDREW P. GORDON

UNITED STATES DISTRICT JUDGE

Dated: June 26, 2024

